

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

MEETING DATE: July 14, 2004

DIVISION: COMMUNITY SERVICES

BULK ITEM: Yes

DEPARTMENT: LIBRARY

AGENDA ITEM WORDING: Approval of revised Library Policy Sections 2.03 and 2.04, pertaining to obtaining a library card, borrowing materials, and the schedule of fines and fees.

ITEM BACKGROUND: This is the first such revision since the Library automation system was instituted, and represents an updating of Library policy to better reflect advances in technologies, practices and procedures. This revision was approved by the Monroe County Library Advisory Board at their meeting of June 22, 2004.

PREVIOUS RELEVANT BOCC ACTION: On April 14, 1999, the BOCC approved the first major revision of the Library Policy since the 1990 resolution instituting the official policies of the Monroe County Public Library. Various parts of the policy have been reviewed, revised and approved in that time span, as circumstances decreed.

CONTRACT/AGREEMENT CHANGES:
N/A

STAFF RECOMMENDATION: Approval

TOTAL COST: N/A

BUDGETED: N/A

COST TO COUNTY: N/A

SOURCE OF FUNDS: N/A

REVENUE PRODUCING: N/A

AMOUNT PER MONTH /YEAR: N/A

APPROVED BY: County Attorney

OMB/Purchasing

Risk Management

DIVISION DIRECTOR APPROVAL


JAMES E. MALLOCH, Division Director

DOCUMENTATION: Included

X

To Follow

Not Required

AGENDA ITEM #

C22

DISPOSITION: _____

2.03 OBTAINING A LIBRARY CARD AND BORROWING MATERIALS

A. LIBRARY CARDS

1. ADULT CARDS: Library cards, which may be used at all County libraries, are available at no cost to all persons who are residents of the Monroe County Library taxing district. An individual wishing to determine eligibility for a free card should inquire at the library's circulation desk. Identification must be presented which includes the individual's current Monroe County address. The necessary procedures and library rules will be explained by library staff. When the patron receives the library card, he/she is agreeing to be responsible for materials borrowed with this card and for all fines/fees incurred as well as loss and/or damage of materials charged upon it, and to abide by the library lending rules and all policies and regulations. All library registration and circulation records, except statistical reports of registration and circulation, shall be confidential information, as described in Florida Statute 257.261. (See **STATEMENT OF CONFIDENTIALITY, APPENDIX F.**)

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2. RECIPROCITY AGREEMENT: The Monroe County Public Library System has an agreement with the Florida Keys Community College for reciprocal use of library cards and the ensuing borrowing privileges.

3. CHILDREN'S CARDS: Children who reside in Monroe County, as evidenced by parental address given at the time of registration, may apply for a library card as soon as they can print their name. If the child is under fourteen (14) years of age, the application must be signed by a parent or guardian, who will be held responsible for library materials borrowed, as well as for any fines or fees accrued on that card. The adult also accepts all responsibility for the selection of materials made by the child. The Monroe County Public Library System does not act in loco parentis, i.e., in the place of a parent. Any restrictions placed on a child's use of the Library are the responsibility of the child's parent or guardian, and the Library is not responsible for enforcing such restrictions. All library circulating materials, regardless of format, may be checked out to children upon compliance with required registration procedures.

4. INSTITUTIONAL CARDS: Institutions located in Monroe County which offer services to persons who cannot take advantage of library service through the regular channels are eligible to register as Institutional Patrons. To do so, proof of the legal name and address of the institution is required. Such proof consists of a letter,

placed on file with the Branch Manager, on the institution's letterhead, signed by the director or other authorized person, requesting Institutional patron status, and stating that the institution will be responsible for all activities associated with card use (damages, losses, penalties, fines, etc.)

5. NON-RESIDENTS: Individuals who do not possess appropriate Monroe County identification may pay a \$ 15.00 annual non-refundable fee for a library card which entitles them to borrowing privileges at all Monroe County Library branches.

6. EXPIRATION OF LIBRARY CARDS: All library cards must be renewed annually, including Institutional Patron cards, which require a new letter of request to be placed on file. There is no charge for card renewal upon its expiration.

7. LOST LIBRARY CARDS: Lost or stolen library cards should be reported immediately. Timely reporting of the loss prevents the library patron from being held responsible for materials checked out on his/her lost or stolen card. Some proof of identity must be presented when applying for a library card replacement. If there are any charges against the patron's record, over the set threshold (see SEC. 2.04.C), they must be cleared before a replacement card can be issued.

~~Deleted:~~ . The replacement fee for a lost card is ¶ \$ 1.00 for an adult and \$.50 for a juvenile. There is no charge for replacement of a stolen card

~~Deleted:~~ . If there are no materials or fines charged against the patron's record, a replacement will be issued

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8. LOSS OF PRIVILEGES: All rightful fines and fees must be paid to maintain borrowing privileges. Unpaid fines, failure to pay for lost/damaged materials, or a failure to return library materials may result in the loss of the patron's library borrowing privileges. (See thresholds for blocks on borrowing privileges in SEC. 2.04.C.) It is the Library's practice to provide notification of and to bill for overdue materials, but failure to receive notification or overdues or of fines and fees accrued does not abrogate the patron's obligation to return such materials and/or to pay such rightful fines and fees.

~~Deleted:~~ 8. RE-ISSUING OF CARDS: There is no charge for the re-issue of a library card in order to change the name or status. ¶

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B. BORROWING LIBRARY MATERIALS

1. CARD USAGE: The person borrowing library materials must present his/her own library card. No one may present another patron's library card for the purpose of borrowing library materials, unless the cardholder has given written permission to that effect. If

a cardholder chooses to allow other persons to use his/her card, the cardholder remains responsible for all items checked out on that card, as well as for any fees or fines that may accrue as a result of that use. (Exception: a parent who has signed as being responsible for a juvenile's card, may use that card for the purpose of borrowing library materials, since that parent has already accepted responsibility for materials checked out on that card.)

2. READERS' RIGHT TO PRIVACY: Reaffirming the Library's concern for readers' rights of privacy, the Library will not disclose to anyone the names of, or other information regarding, readers, and will not identify materials called for or examined by them. (See **APPENDIX F: STATEMENT OF CONFIDENTIALITY.**)

3. RESERVING MATERIALS: If a patron wishes to obtain a book or nonbook item(s) not currently on the library's shelves but listed in the library catalog, he/she may place a reserve request for the item(s). As the requested material becomes available, the patron will be notified. Materials not picked up by the given date will be made available to the next person on the reserve list, or returned to the library shelves. All normally circulating materials at all branches are loanable throughout the system, regardless of the length of time the item has been in the lending library's possession. The requesting agency is responsible for determining if demand necessitates purchasing an additional copy of the requested title.

4. INTER-LIBRARY LOANS: Every effort is made, through an inter-library loan network, to obtain materials which are needed, but are not available in the Monroe County Library System.

5. MATERIALS AVAILABLE FOR LOAN: A valid library card entitles the patron to the full range of circulating library materials throughout the system's collection. These include, but are not limited to: books, periodicals, vertical file material, audio cassettes, VIDEO MATERIALS, and compact disks. Use of any available materials within the library building does not require a library card.

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6. BORROWING LIMITS: Generally there are no limits on the number of library materials which may be checked out at any one time. There are, however, some materials that are limited to use in the library exclusively, such as reference materials. Additional limits may be set by a particular branch depending on availability of materials. Temporary limits may be placed on materials in high demand at a particular time, e.g., holiday materials or materials needed for school reports by a number of patrons at one time.

Deleted: Include: two (2) books from the new book section; three (3) non-fiction books in one subject area; three (3) fiction books by the same author; six (6) magazines; two (2) video cassette titles; and six (6) audio cassette sets

7. STANDARD LOAN PERIOD: The Library reserves the right to manage loan periods to meet urgent demands on the collection. It is the Library's right to recall materials after the first basic loan period. The standard loan periods are as follows:

a. BOOKS, MAGAZINES, AUDIO CASSETTES: Two (2) weeks with five renewals if no other patron has requested these materials. A block will be placed on requested materials and their loan period cannot be renewed. Available materials may be renewed by telephone and/or by the on-line public access catalog.

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b. REFERENCE MATERIALS: In-library use only. Exceptions may be taken under consideration by the Reference Librarian or the Branch Manager. Under the reciprocal agreement with the Florida Keys Community College, a longer circulation period may be arranged by permission of the Reference Librarian or the Branch Manager.

Deleted: If an exception is made, the item may circulate for a single 24-hour period only, and must be returned to the lending source. An appropriate cash deposit may be required. In

9. VIDEO MATERIALS BORROWING POLICY:

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a. FREEDOM TO VIEW: The Monroe County Public Library supports the American Library Association interpretation of the Bill of Rights, which affirms that librarians have a responsibility to ensure access for all, including children and young people, to videotapes and other nonprint formats, and to all materials and services that reflect diversity sufficient to meet their needs. As with books and other materials, the Library cannot act in loco parentis, but does acknowledge and support the exercise by parents of their responsibility to guide their own children's reading and viewing. (See APPENDIX C: FREE ACCESS TO LIBRARIES FOR MINORS, and APPENDIX D: ACCESS FOR CHILDREN AND YOUNG PEOPLE TO VIDEOTAPES AND OTHER NONPRINT FORMATS.)

b. ELIGIBILITY: It is understood that those rules which govern the borrowing of all other library materials, also apply to video materials.

Deleted: A video borrower must be the holder of a current, valid Monroe County library card and in good standing.

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c. CIRCULATION OF VIDEO MATERIALS: Video materials shall circulate for one (1) week, with one renewal allowed. Renewal may be made by telephone and/or by the online

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public access catalog. Video materials may be reserved, following the same procedures as with other reserve materials (See Sec. 2.03.B.3).

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d. RETURNING VIDEO MATERIALS: VIDEO MATERIALS may not be returned to the library via the book drop. The borrower is responsible for any and all damages incurred as a result of using the book drop for video return. In addition, a patron who uses the book drop for video return may forfeit VIDEO MATERIAL borrowing privileges.

Deleted: A maximum of - two (2) video cassette titles may be borrowed on any one library card at one time.

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e. VIDEO MATERIALS BORROWER RESPONSIBILITY:

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I. DAMAGES: Borrowers are held responsible for the safe return of video materials and for the cost of repair or replacement, should the materials be lost or damaged. Evidence of tampering with VIDEO MATERIAL will result in the forfeiture of video borrowing privileges.

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II. COPYRIGHT LAW: All of the VIDEO MATERIALS in the library's circulating collection are protected by the copyright laws of the United States, which must be strictly observed. The materials are available for private home use only, unless otherwise indicated.

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III. RESTRICTIONS ON VIDEO USAGE: Admission fees are not permitted at any film, filmstrip, video, or DVD showing, nor may these materials be used for fundraising purposes.

8. EXTENDED LOAN PERIOD: Patrons may be granted extended loan periods for special need, or to cover times when they will be out of town. The individual library, at the discretion of the Branch Manager, will determine which books or materials it will lend for extended loans. (For example, books in heavy demand may be excluded.)

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10. RETURNING MATERIALS: Regular circulating materials may be returned to any branch in the system. Book drops may be used for book materials, but due to the likelihood of damage to the material, not for any audio-visual items, including, but not limited to, audio cassettes, VIDEO MATERIALS, and CD's. Such materials must be returned inside the library during the open hours.

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11. USE OF STATE AUDIO-VISUAL MATERIALS: The patron's library card permits use of the State of Florida film and video collection, available to individuals and to groups. A catalog of State materials is available at each branch. The circulation staff will explain regulations and procedures for obtaining and using these materials.

12. AUDIOVISUAL EQUIPMENT: In addition to the materials described above, the Library has various audiovisual equipment, such as film projectors, VCR's, TV's, overhead projectors and other types of equipment. These items do not circulate, but are available for use within the library for library-sponsored programs or for programs presented by groups who are registered to use the meeting/ conference room and have a signed designee to accept responsibility for their use. In-library use of these items is also available to individuals, at the discretion of the Branch Manager.

Deleted: 12. RESTRICTIONS ON VIDEO USAGE: Admission fees are not permitted at any film, filmstrip, or video showing, nor may these materials be used for fundraising purposes. All copyright laws must be strictly observed.

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2.04 SCHEDULE OF FINES/FEES

A. FINES: The fine schedule for adult materials is ten cents (\$.10) per day per item with a maximum of five dollars (\$5.00) per item. For children's materials the fine schedule is five cents (\$.05) per day per item, with a maximum fine of three dollars (\$3.00) per item. Audio and video materials are treated the same as book materials. Fines will never exceed the replacement cost of the item.

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Deleted: The video cassette fine is one dollar (\$1.00) per day per title, with a maximum fine of ten dollars (\$10.00) per video cassette title.

No fines shall accrue for any days when the library is closed. There shall be an initial grace period of five (5) days for overdue materials, during which no fine shall be levied. When the grace period has expired, the fine shall accrue from the first day that the material is overdue.

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- - audiocassette

Deleted: There is no grace period for video cassettes.

Fines may be waived at the discretion of the Branch Manager and his/her designee when appropriate. Various circumstances for waiving of fines might include death, hospitalization, unusual hardship for the patron, or error on the part of the system.

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B. AMNESTY PERIOD: An "Amnesty Period" may be held annually at the discretion of the Director of Libraries, during which certain penalty fines and fees may be abrogated.

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C. THRESHOLDS: No material may be checked out nor library cards renewed for library patrons who have reached any of the following system thresholds:

- Library materials 30 days or more overdue;
- Reserves or inter-library loans from outside the Monroe County Library System one week or more overdue;
- Fines totaling over \$ 30.00;
- Total number of overdue items: 50
- Maximum lost , unpaid items: one

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Deleted: <#> Fees for lost or damaged materials that have continued for two . months or more.¶

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D. REPLACEMENT FEES: A "replacement fee" is charged when library materials are lost or damaged to the extent that they can no longer be used. This fee covers the current purchase price of the same or a similar item.

Alternative replacement of lost or damaged material is acceptable, at the discretion of the Branch Manager.

The fees to be charged for lost or damaged materials are determined as follows:

BOOKS: The cost of replacement of a work of fiction or non-fiction, whether adult or juvenile, is to be taken from a current ordering source, catalog, listing, etc. If the exact edition is no longer available in print, the cost of a comparable edition is charged, i.e., a hardcover book is to be replaced only by a hardcover, and a paperback only by a paperback. If the book is no longer available in any comparable edition, a flat fee system will be used, based on the most recent pricing information available. Current flat fees are:

CHILDREN'S BOOKS (Hardcover)	15.50
CHILDREN'S BOOKS (Paperback)	4.50
YOUNG ADULT FICTION (Hardcover)	16.00
YOUNG ADULT FICTION (Paperback)	4.50
YOUNG ADULT NON-FICTION (Hardcover)	21.00
YOUNG ADULT NON-FICTION (Paperback)	7.00
ADULT FICTION (Hardcover)	23.50
ADULT FICTION (Paperback)	6.50
ADULT NON-FICTION (Hardcover)	30.00
ADULT NON-FICTION (Paperback)	21.00

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The material is an exact replacement of the lost or damaged item,¶
The replacement item is in new condition,¶

The replacement is made in a timely manner (within 30 days of the . . date due).

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Replacement cost is the cover cost plus two dollars ¶
(\$ 2.00) replacement fee.

NON-BOOK MATERIALS: Replacement cost is to be taken from a current ordering source, catalog, listing, etc. If the material is no longer available, and nothing comparable is found for a price estimate, the following flat fees are used:

AUDIO CASSETTES (Single tape) 12.95

AUDIO CASSETTES (Multiple tape set)

Fee for each tape in set (unless a replacement can be found for the individual lost or damaged tape)

12.95

The whole set must be paid for even if only a part is lost or damaged, unless that part can be replaced individually.

VIDEO MATERIALS (Single unit) 29.95

VIDEO MATERIALS (Multiple unit set)

Fee for each tape in set (unless a replacement can be found for the individual lost or damaged tape)

29.95

The whole set must be paid for even if only a part is lost or damaged, unless that part can be replaced individually.

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The total replacement cost for multiple sets is not to exceed the actual total value of the set.

COMPACT DISCS

14.95

Other material is priced at CURRENT REPLACEMENT COST.

E. FEE CARD FOR A NON-RESIDENT (Annually)

15.00

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Replacement for a lost library card:
- ADULT - 1.00
- JUVENILE - .50

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